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21 Attorneys for Plaintiff and Counter-Claim
22 Defendant FEDERAL INSURANCE COMPANY

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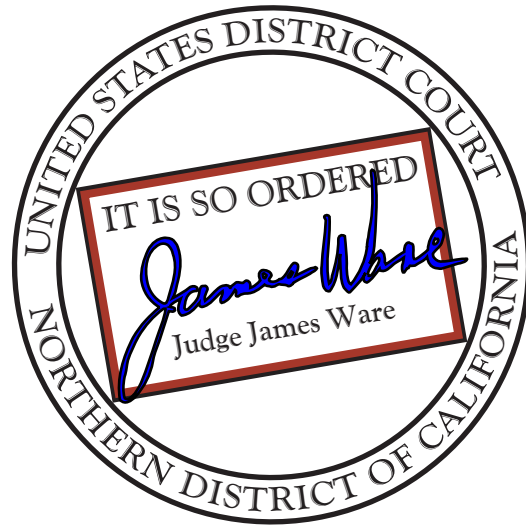
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FEDERAL INSURANCE COMPANY, an
Indiana corporation,

Plaintiff,

v.

ST. PAUL FIRE AND MARINE
INSURANCE COMPANY, a Minnesota
corporation,

Defendant.

ST. PAUL FIRE AND MARINE
INSURANCE COMPANY, a Minnesota
corporation,

Counter-Claim Plaintiff,

v.

FEDERAL INSURANCE COMPANY, an
Indiana corporation, and NATIONAL UNION
FIRE INSURANCE COMPANY OF
PITTSBURGH, PA, a Pennsylvania
corporation,

Counter-Claim Defendants.

Case No.: C-05-01878 JW

**JOINT CASE MANAGEMENT
CONFERENCE STATEMENT (F.R.C.P.
26(f) AND [PROPOSED] ORDER**

Date: May 8, 2006

Time: 10:00 a.m.

Courtroom: 8

Trial Date: None

Defendant and Counter-Claim Plaintiff ST. PAUL FIRE AND MARINE INSURANCE
COMPANY ("St. Paul") and Plaintiff and Cross-Claim Defendant FEDERAL INSURANCE
COMPANY ("Federal") and Cross-Claim Defendant NATIONAL UNION FIRE
INSURANCE COMPANY OF PITTSBURGH, PA ("National Union") present the following
Further Joint Case Management Conference Statement in this case.

BRIEF DESCRIPTION OF THE CASE

This is an insurance coverage action that arises out of underlying litigation brought by
Fujitsu Limited against Cirrus Logic, Inc. ("Cirrus Logic"), the insured of the parties to the

1 present action. This is a dispute over the amount of money that the insurance companies who
2 are the parties in this case are required to contribute to the settlement of an underlying lawsuit
3 against their insured, Cirrus Logic. St. Paul, Federal, and National Union issued policies of
4 insurance to Cirrus Logic. The Federal policy is excess to the St. Paul policy, and the National
5 Union policy is excess to the Federal policy and the St. Paul policy.

6 **DISCLOSURES**

7 1. The parties have exchanged disclosures for all categories under Fed. R. Civ. P.
8 26(a)(1).

9 **DISCOVERY**

10 2. The parties are engaged in discovery. Federal sent out its first set of discovery
11 to St. Paul and received responses, which it has reviewed. Federal is in the process of meeting
12 and conferring with St. Paul's counsel regarding its responses.

13 3. St. Paul expects to propound discovery to Federal in the next five days.

14 4. Moreover, as previously disclosed to the Court, the parties jointly obtained a
15 complete copy of the database created in the Underlying Action. The database created in the
16 Underlying Action contains literally millions of pages of documents. These documents include:
17 (1) highly technical lab tests, results and analysis; (2) depositions with hundreds of exhibits
18 attached; and (3) hundreds of thousands of email messages, memos and letters dealing with the
19 fabrication, placement and failure of the at-issue chips. The review of that database has been
20 challenging. However, the parties have almost completed that review.

21 5. The parties request that the Court not set a trial date or any other litigation
22 deadlines at this time. The parties would request that the Case Management Conference be
23 continued for another 30 days so that the parties can fully complete their review of the database,
24 which will assist the parties in streamlining the discovery process in this action, and complete
25 their initial discovery. The parties will then be in a better position to meaningfully discuss the
26

27 /////

1 scheduling of any motions for summary judgment and/or partial summary judgment, a trial
2 date, and other litigation deadlines.

3 Dated: April 24, 2006

BARGER & WOLEN, LLP

4
5 By: /s/
6 Robert G. Levy
7 Thomas R. Beer
8 Angele Motlagh
9 Attorneys for Counter-Claim
Defendants NATIONAL UNION
FIRE INSURANCE COMPANY OF
PITTSBURGH, PA

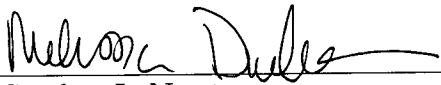
10 Dated: April 24, 2006

ZELLE, HOFMANN, VOELBEL, MASON
& GETTE, LLP

11
12 By: /s/
13 Marc J. Shrake
14 Georgiana V. Palanca
15 Attorneys for Defendant and Counter-
16 Claim Plaintiff ST. PAUL FIRE AND
MARINE INSURANCE COMPANY

17 Dated: April 24, 2006

NEWTON REMMEL

18 By: 
19 Stephen L. Newton
20 Melissa A. Dubbs
21 Attorneys for Plaintiff and Counter-
22 Claim Plaintiff FEDERAL
INSURANCE COMPANY

23 **CASE MANAGEMENT ORDER**

24 The Further Case Management Statement and Proposed Order is hereby adopted by the
25 Court. The Case Management Conference is continued until June 19, 2006 at 10:00am.

26
27 Dated: May 3, 2006

28 
THE HONORABLE JAMES WARE